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October 17, 2024

DELIVERED VIA ECF

The Honorable Andrew L. Carter Jr.
United States District Judge
Thurgood Marshall
40 Foley Square
New York, New York 10007

Case Title: *Elliot McGucken v. Lonely Planet USA, LLC, et al.*
1:23-cv-04293-ALC-SLC
Re: **Request to Continue Summary Judgment Deadlines**

Your Honor:

This office represents Plaintiff, Elliot McGucken, in the above referenced matter. We are writing to respectfully request that the deadline to file Plaintiff's motion for summary judgment scheduled for October 30, 2024 (Dkt. 75), and the following deadlines for Defendant's opposition currently due on November 20 and Plaintiff's reply currently due on December 4, be continued for two weeks or a time thereafter acceptable to the court.

Good cause exists for this request. Plaintiff's counsel has been engaged in an out-of-state trial in another matter since October 7, 2024, that just concluded on October 16, which has severely limited the ability of Plaintiff's counsel to address Plaintiff's motion for summary judgment in the time frame currently allotted. Additionally, Defendants have not yet received a schedule for their own summary judgment motion and are awaiting a response to their request for clarification from the Court.

In light of the foregoing, we respectfully request that the briefing deadlines for Plaintiff's Motion for Summary Judgment be continued for two weeks, such that Plaintiff's opening brief would be due November 13, 2024, Defendant's opposition brief would be due December 4, and Plaintiff's reply would be due December 18. Defendants consent to this request. In addition, the Parties request that the briefing schedule for Defendants' motion be set for the same schedule as Plaintiff's requested schedule herein. This is Plaintiff's first request of this nature. We thank the Court for its time and consideration.

Respectfully submitted,

By: /s/ David Michael Stuart Jenkins
David Michael Stuart Jenkins, Esq.
Scott Alan Burroughs, Esq.
Attorneys for the Plaintiff

SO ORDERED.

Date: _____, 2024

By: _____
Honorable Andrew L. Carter Jr.
United States District Judge